

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kevin Woehr, et al.

Application No. : 09/638,641

Filed : August 14, 2000

Title : SPRING CLIP SAFETY IV CATHETER

Group Art Unit : 3735

Examiner : Not yet known

Docket No. : 39352/WPC/K163

RECEIVED
OCT 10 2002
TECHNOLOGY CENTER R3700

**DECLARATION BY ADDED INVENTOR IN
SUPPORT OF AMENDMENT TO CHANGE INVENTORSHIP**

Assistant Commissioner for Patents
Washington, D.C. 20231

Post Office Box 7068
Pasadena, CA 91109-7068

Commissioner:

I, Mark Wynkoop, hereby declare that:

1. I make this declaration in support of the Amendment under 37 CFR § 1.48(c) to change the named inventors of the above-identified application.

2. During all times relevant to the conception and reduction to practice of this invention, I was an employee of B. Braun Medical Inc., a wholly owned subsidiary of B. Braun Melsungen AG, the assignee of the above-identified invention. During my employment, I worked on the development of an IV catheter apparatus with needle tip protector.

3. I was also a co-inventor of the subject matter that appears in U.S. Patents Nos. 6,117,108 and 6,287,278, of which this application is a continuation-in-part.

4. The above-identified application was correctly prepared and filed with the names of Kevin Woehr and Manfred Orth's as inventors of the subject matter covered by originally filed claims 1-49.

5. The original Declaration and Power of Attorney filed in connection with the above-identified application correctly identifies Kevin Woehr and Manfred Orth as inventors.

Application No. 09/638,641

6. On or about May 29, 2002, new claims 50-59 were added to the above-identified application by means of a Preliminary Amendment. The new claims include subject matter conceived by me which is included in the disclosures of the '108 and '278 patents. Due to the addition of the new claims, I should be added as a co-inventor, and the above-identified application should name three co-inventors; namely, Kevin Woehr, Manfred Orth, and Mark Wynkoop.

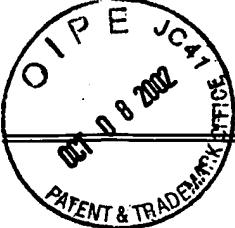
7. This declaration in support of the Amendment under 37 CFR §1.48(c) is being diligently made subsequent to the filing of the aforementioned Preliminary Amendment.

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Dated: 7-8-02


Mark Wynkoop
Mark Wynkoop

MLM IRV1055920.1-* 6/27/02 4:42 PM



#9

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATIONS

Docket No. : 39352/WPC/K163

PATENT

RECEIVED
TECHNOLOGY CENTER R370
OCT 10 2002

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SPRING CLIP SAFETY IV CATHETER, the specification of which is attached hereto unless the following is checked:

was filed on August 14, 2000 as United States Application Number or PCT International Application Number 09/638,641 and was amended on May 29, 2002 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of the foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

<u>Application Number</u>	<u>Country</u>	<u>Filing Date (day/month/year)</u>	<u>Priority Claimed</u>
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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>Application Number</u>	<u>Filing Date</u>
---------------------------	--------------------

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<u>Application Number</u>	<u>Filing Date</u>	<u>Patented/Pending/Abandoned</u>
09/183,697	October 30, 1998	Patented
09/097,170	June 12, 1998	Patented
08/914,148	August 20, 1997	Abandoned

POWER OF ATTORNEY: I hereby appoint the following attorneys and agents of the law firm CHRISTIE, PARKER & HALE, LLP to prosecute this application and any international application under the Patent Cooperation Treaty based on it and to transact all business in the U.S. Patent and Trademark Office connected with either of them in accordance with instructions from the assignee of the entire interest in this application;

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATIONS**

Docket No. 39352/WPC/K163

or from the first or sole inventor named below in the event the application is not assigned; or from _____ in the event the power granted herein is for an application filed on behalf of a foreign attorney or agent.

R. W. Johnston	(17,968)	Grant T. Langton	(39,739)	Richard J. Paciulan	(28,248)
D. Bruce Prout	(20,958)	Constantine Marantidis	(39,759)	Josephine E. Chang	(46,083)
Hayden A. Carney	(22,653)	Daniel R. Kimbell	(34,849)	Frank L. Cire	(42,419)
Richard J. Ward, Jr.	(24,187)	Craig A. Gelfound	(41,032)	Harold E. Wurst	(22,183)
Russell R. Palmer, Jr.	(22,994)	Syed A. Hasan	(41,057)	Robert A. Green	(28,301)
LeRoy T. Rahn	(20,356)	Kathleen M. Olster	(42,052)	Derrick W. Reed	(40,138)
Richard D. Seibel	(22,134)	Daniel M. Cavanagh	(41,661)	John W. Peck	(44,284)
Walter G. Maxwell	(25,355)	Molly A. Holman	(40,022)	Stephen D. Burbach	(40,285)
William P. Christie	(29,371)	Joel A. Kauth	(41,886)	David B. Sandelands, Jr.	(46,023)
David A. Dillard	(30,831)	Patrick Y. Ikehara	(42,681)	Heidi L. Eisenhut	(46,812)
Thomas J. Daly	(32,213)	Mark Garscia	(31,953)	Nicholas J. Pauley	(44,999)
Vincent G. Gioia	(19,959)	Gary J. Nelson	(44,257)	Mark J. Marcelli	(36,593)
Edward R. Schwartz	(31,135)	Raymond R. Tabandeh	(43,945)	Paul Heynssens	(P-47,648)
John D. Carpenter	(34,133)	Cynthia A. Bonner	(44,548)	Peter A. Nichols	(P-47,822)
David A. Plumley	(37,208)	Jun-Young E. Jeon	(43,693)	David J. Steele	(47,317)
Wesley W. Monroe	(39,778)	Marc A. Karish	(44,816)		
Gregory S. Lampert	(35,581)	John F. O'Rourke	(38,985)		

The authority under this Power of Attorney of each person named above shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

DIRECT TELEPHONE CALLS TO : William P. Christie, 626/795-9900
SEND CORRESPONDENCE TO : CHRISTIE, PARKER & HALE, LLP
P.O. Box 7068, Pasadena, CA 91109-7068

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FIRST INVENTOR			
Kevin Woehr			
Inventor's Signature			Date
Residence: Felsberg	City	State	Country Germany
Mailing Address: Danziger Strasse No. 2, Felsberg, Germany			

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATIONS**

Docket No. 39352/WPC/K163

NAME OF SECOND INVENTOR			
Manfred Orth			
Inventor's Signature			Date
City Residence: Kassel	State	Country Germany	Citizenship German
Mailing Address: Falkensteinstr 63, Kassel, Germany			

NAME OF THIRD INVENTOR			
Mark Wynkoop <i>Mark Wynkoop</i>			
Inventor's Signature			Date 7-8-02
City Residence: Coopersberg	State PA	Country US	Citizenship US
Mailing Address: 3319 Lanark Road, Coopersberg, Pennsylvania 18036			

WPC/mlm
MLM IRV1051816.1*-6/25/02 2:49 PM

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kevin Woehr, et al.
 Application No. : 09/638,641
 Filed : August 14, 2000

Title : SPRING CLIP SAFETY IV CATHETER
 Group Art Unit : 3735
 Examiner : Not yet known
 Docket No. : 39352/WPC/K163

TECHNOLOGY CENTER R3700

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OCT 10 2002

**DECLARATION BY NAMED INVENTORS IN
SUPPORT OF AMENDMENT TO CHANGE INVENTORSHIP**

Assistant Commissioner for Patents
 Washington, D.C. 20231

Post Office Box 7068
 Pasadena, CA 91109-7068

Commissioner:

We, Kevin Woehr and Manfred Orth, hereby declare that:

1. We make this declaration in support of the amendment under 37 CFR § 1.48(c) to change the named inventors of the above-identified application.

2. During all times relevant to the conception and reduction to practice of this invention, we were employees of B. Braun Melsungen AG, the assignee of the above-identified invention. During our employment, we worked on the development of an IV catheter apparatus with needle tip protector.

3. We were named as inventors of the subject matter of the above-identified application due to our development efforts for the IV catheter apparatus with needle tip protector.

4. We are also inventors of the subject matter that appears in U.S. Patents Nos. 6,117,108 and 6,287,278, of which this application is a continuation-in-part. Mark Wynkoop was also a named inventor in the '108 and '278 patents.

5. The above-identified application was prepared and filed in our names as inventors for originally filed claims 1-49.

Application No. 09/638,641

6. The Declaration and Power of Attorney filed in connection with the above-identified application correctly identifies our names as inventors.

7. On or about May 29, 2002, new claims 50-59 were added to the above-identified application by means of a Preliminary Amendment. The new claims include subject matter conceived by Mark Wynkoop which is included in the disclosures of the aforementioned '108 and '278 patents and in this application. Due to the addition of the new claims, Mark Wynkoop should be added as a co-inventor, and the above-identified application should have three inventors; namely, Kevin Woehr, Manfred Orth, and Mark Wynkoop.

8. This declaration in support of the Amendment under 37 CFR §1.48(c) is being diligently made subsequent to the filing of the aforementioned Preliminary Amendment.

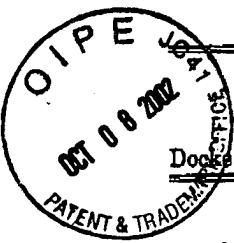
We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Dated: 4.7.02

Kevin Woehr
Kevin Woehr

Dated: 16.9.02

Manfred Orth
Manfred Orth



**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATIONS**

PATENT

Docket No. : 39352/WPC/K163

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SPRING CLIP SAFETY IV CATHETER, the specification of which is attached hereto unless the following is checked:

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Prior Foreign Application(s)

<u>Application Number</u>	<u>Country</u>	<u>Filing Date (day/month/year)</u>	<u>Priority Claimed</u>
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<u>Application Number</u>	<u>Filing Date</u>	<u>Patented/Pending/Abandoned</u>
09/188,697	October 80, 1998	Patented
09/097,170	June 12, 1998	Patented
08/914,148	August 20, 1997	Abandoned

POWER OF ATTORNEY: I hereby appoint the following attorneys and agents of the law firm CHRISTIE, PARKER & HALE, LLP to prosecute this application and any international application under the Patent Cooperation Treaty based on it and to transact all business in the U.S. Patent and Trademark Office connected with either of them in accordance with instructions from the assignee of the entire interest in this application;

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OCT 10 2002

 DECLARATION AND POWER OF ATTORNEY
 FOR PATENT APPLICATIONS

Docket No. 39352/WPC/K163

or from the first or sole inventor named below in the event the application is not assigned; or from _____ in the event the power granted herein is for an application filed on behalf of a foreign attorney or agent.

R. W. Johnston	(17,968)	Grant T. Langton	(39,739)	Richard J. Paciulan	(28,248)
D. Bruce Prout	(20,958)	Constantine Marantidis	(39,759)	Josephine E. Chang	(46,083)
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Walter G. Maxwell	(25,355)	Molly A. Holman	(40,022)	Stephen D. Burbach	(40,285)
William P. Christie	(29,371)	Joel A. Kauth	(41,886)	David B. Sandelands, Jr.	(46,023)
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John D. Carpenter	(34,183)	Cynthia A. Bonner	(44,548)	Peter A. Nichols	(P-47,822)
David A. Plumley	(37,208)	Jun-Young E. Jeon	(43,693)	David J. Steele	(47,317)
Wesley W. Monroe	(39,778)	Marc A. Karish	(44,816)		
Gregory S. Lampert	(36,581)	John F. O'Rourke	(38,985)		

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DIRECT TELEPHONE CALLS TO : William P. Christie, 626/795-9900
 SEND CORRESPONDENCE TO : CHRISTIE, PARKER & HALE, LLP
 P.O. Box 7068, Pasadena, CA 91109-7068

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FIRST INVENTOR			
<u>Kevin Woehr</u>			
Inventor's Signature	<u>Kevin Woehr</u>		Date <u>4.7.02</u>
City Residence: Felsberg	State	Country Germany	Citizenship US
Mailing Address: Danziger Strasse No. 2, Felsberg, Germany			

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATIONS**

Docket No. 39352/WPC/K163

NAME OF SECOND INVENTOR

Manfred Orth

Inventor's Signature	Date		
<i>Manfred Orth</i>	<i>16.9.02</i>		
City	State	Country	Citizenship
Kassel	Vellmar	Germany	German

Mailing Address: Falkensteinerstr 63, Kassel, Germany - Heckeweg 18, Vellmar

NAME OF THIRD INVENTOR

Mark Wynkoop

Inventor's Signature	Date		
<i>Mark Wynkoop</i>			
City	State	Country	Citizenship
Coopersberg	PA	US	US

Mailing Address: 3319 Lanark Road, Coopersberg, Pennsylvania 18036

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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kevin Woehr, et al.
Application No. : 09/638,641
Filed : August 14, 2000

Title : SPRING CLIP SAFETY IV CATHETER
Group Art Unit : 3735
Examiner : Not yet known

Docket No. : 39352/WPC/K163

CONSENT OF ASSIGNEE
TO CHANGE OF INVENTORSHIP

Assistant Commissioner for Patents
Washington, D.C. 20231

Post Office Box 7068
Pasadena, CA 91109-7068

Commissioner:

The above-identified patent application is assigned to B. Braun Melsungen AG by an assignment recorded in the United States Patent and Trademark Office at Reel 011490, Frame 0814. I have authority to act on behalf of the assignee, B. Braun Melsungen AG. B. Braun Melsungen AG hereby consents to the change of inventorship requested by the Amendment submitted herewith.

B. BRAUN MELSUNGEN AG,
a German Corporation

Date: July 3, 2002
By: Caroll H. Neubauer
Caroll H. Neubauer
Member of the Management Board

WPC/mlm

MLM IRV1051777.1.*-6/27/02 4:35 PM